



General Assembly

**Substitute Bill No. 478**

February Session, 2004

\* SB00478PS 040804 \*

**AN ACT CONCERNING NOMINATIONS FOR THE POSITION OF  
HOMELAND SECURITY DIRECTOR AND THE DEPARTMENT OF  
HOMELAND SECURITY.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 28-1a of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) The Office of Emergency Management established under this  
4 chapter shall be in the Military Department and shall be the designated  
5 civil defense organization for the state.

6 (b) The Department of Homeland Security established under this  
7 chapter shall be in the Military Department and shall be the designated  
8 homeland security agency for the state. Said department shall  
9 constitute a successor department to the Division of Homeland  
10 Security within the Department of Public Safety, in accordance with  
11 the provisions of sections 4-38d and 4-39.

12 Sec. 2. Section 28-2 of the general statutes is amended by adding  
13 subsections (d) to (f), inclusive, as follows (*Effective from passage*):

14 (NEW) (d) The Department of Homeland Security shall be under  
15 the direction and supervision of a director of homeland security  
16 appointed and approved in accordance with the provisions of  
17 subsection (e) of this section, and shall be responsible for the homeland

18 security protection of the state. The Director of Homeland Security  
19 shall devote full time to the duties of the office.

20 (NEW) (e) The Department of Homeland Security shall be headed  
21 by a director who is appointed by the Governor and approved by the  
22 General Assembly, in accordance with the provisions of chapter 46.  
23 Such director shall possess professional emergency response  
24 qualifications and extensive professional training and knowledge  
25 consisting of not less than ten years of high-level managerial  
26 experience in matters relating to public safety, security and emergency  
27 services including, but not limited to, the identification, development  
28 and implementation of strategic preventative and reactionary plans to  
29 meet public safety concerns in the areas of state-wide security,  
30 domestic terrorism, executive protection and citizen corps. No person  
31 possessing a record of any criminal, unlawful or unethical conduct  
32 shall be eligible for or hold such position. Any person with any present  
33 or past political activities or financial interests that may substantially  
34 conflict with the duties of such directorship or expose such person to  
35 potential undue influence or compromise such person's ability to be  
36 entrusted with necessary state or federal security clearances or  
37 information shall be deemed unqualified for such position and shall  
38 not be eligible to hold such position.

39 (NEW) (f) The Director of Homeland Security shall be responsible  
40 for working through the Office of Emergency Management to: (1)  
41 Coordinate with state and local government personnel, agencies and  
42 authorities and the private sector to ensure adequate planning,  
43 equipment, training and exercise activities by such personnel,  
44 agencies, authorities and persons with regard to homeland security; (2)  
45 coordinate, and as may be necessary, consolidate homeland security  
46 communications and communications systems of the state government  
47 with state and local government personnel, agencies, authorities, the  
48 general public and the private sector; (3) distribute and, as may be  
49 appropriate, coordinate the distribution of information and security  
50 warnings to state and local government personnel, agencies,  
51 authorities and the general public; and (4) establish standards and

52 security protocols for the "Matrix" and other private intelligence  
53 database systems maintained by the state.

54 Sec. 3. Subsection (g) of section 28-7 of the general statutes is  
55 repealed and the following is substituted in lieu thereof (*Effective from*  
56 *passage*):

57 (g) The state shall reimburse any town or city rendering aid under  
58 this section for the compensation paid and actual and necessary travel,  
59 subsistence and maintenance expenses of employees of such town or  
60 city while rendering such aid, and for all payments for death, disability  
61 or injury of such employees in the course of rendering such aid and for  
62 all losses of or damage to supplies or equipment of such town or city  
63 incurred in the course of rendering such aid. The Director of  
64 Homeland Security shall develop a formula for the reimbursement to  
65 local and joint organizations for nonstate homeland security funding.

66 Sec. 4. Section 28-29a of the general statutes is repealed and the  
67 following is substituted in lieu thereof (*Effective from passage*):

68 (a) There is established an E 9-1-1 Commission to advise the office in  
69 the planning, design, implementation and coordination of the  
70 state-wide emergency 9-1-1 telephone system to be created pursuant to  
71 sections 28-25, 28-25a, 28-25b, 28-26, 28-27, 28-27a, 28-28, 28-28a,  
72 28-28b, 28-29 and 28-29b. The commission shall be appointed by the  
73 Governor on or before October 1, 1984, and shall consist of the  
74 following members: (1) One representative of the technical support  
75 services unit of the Division of State Police within the Department of  
76 Public Safety; (2) the State Fire Administrator; (3) one representative  
77 from the Office of Emergency Medical Services; (4) one representative  
78 from the Office of Emergency Management; (5) one municipal police  
79 chief; (6) one municipal fire chief; (7) one volunteer fireman; (8) one  
80 representative of the Connecticut Conference of Municipalities; (9) one  
81 representative of the Council of Small Towns; (10) one manager or  
82 coordinator of 9-1-1 public safety answering points serving areas of  
83 differing population concentration; and (11) one representative of

84 providers of commercial mobile radio services, as defined in 47 Code  
85 of Federal Regulations 20.3, as amended. Each member shall serve for  
86 a term of three years from July 1, 1984, or until a successor has been  
87 appointed and qualified. No member of the commission shall receive  
88 compensation for such member's services.

89 (b) There is established a state-wide Homeland Security and  
90 Emergency Preparedness Coordinating Council to advise the  
91 Department of Homeland Security in the planning, design,  
92 implementation and coordination of homeland security systems. The  
93 commission shall be appointed by the Governor on or before July 1,  
94 2004, and shall consist of the following members: (1) The Secretary of  
95 the Office of Policy and Management, or the secretary's designee; (2)  
96 the Commissioner of Administrative Services, or the commissioner's  
97 designee; (3) the Commissioner of Transportation, or the  
98 commissioner's designee; (4) the Commissioner of Public Safety, or the  
99 commissioner's designee; (5) the Adjutant General of the Military  
100 Department, or the Adjutant General's designee; (6) one representative  
101 of the technical support services unit of the Division of State Police  
102 within the Department of Public Safety; (7) the State Fire  
103 Administrator; (8) one representative from the Office of Emergency  
104 Medical Services; (9) one representative from the Office of Emergency  
105 Management; (10) one municipal police chief; (11) one municipal fire  
106 chief; (12) one volunteer firefighter; (13) one representative of the  
107 Connecticut Conference of Municipalities; (14) one representative of  
108 the Council of Small Towns; (15) one manager or coordinator of 9-1-1  
109 public safety answering points serving areas of differing population  
110 concentrations; and (16) one representative of providers of commercial  
111 mobile radio services, as defined in 47 CFR 20.3, as amended from time  
112 to time. Each member shall serve for a term of three years from July 1,  
113 2004, or until a qualified successor has been appointed to replace such  
114 member. No member of the council shall receive any compensation  
115 for such member's service on the council.

116 Sec. 5. Section 29-1b of the general statutes is repealed and the  
117 following is substituted in lieu thereof (*Effective October 1, 2004*):

118 (a) There shall be a Department of Public Safety. The department  
119 head shall be the Commissioner of Public Safety, who shall be  
120 appointed by the Governor in accordance with the provisions of  
121 sections 4-5, as amended, 4-6, 4-7 and 4-8 with the powers and duties  
122 therein prescribed. The commissioner shall be the chief administrative  
123 officer of the department and shall have the responsibility for  
124 providing a coordinated, integrated program for the protection of life  
125 and property. The commissioner may appoint not more than three  
126 deputy commissioners of public safety, who shall, under the direction  
127 of the commissioner, assist in the administration of the department.

128 (b) There shall be within the Department of Public Safety a Division  
129 of State Police. The Commissioner of Public Safety shall serve as  
130 administrative head and commanding officer of the State Police  
131 Division. In his capacity as administrative head said commanding  
132 officer of the Division of State Police may delegate his jurisdiction of  
133 the affairs of the Division of State Police to a deputy commissioner  
134 who shall have the powers and privileges conferred by statute upon a  
135 state policeman.

136 (c) Said department shall constitute a successor department to the  
137 Department of State Police in accordance with the provisions of  
138 sections 4-38d and 4-39.

139 (d) The Division of Homeland Security within the Department of  
140 Public Safety shall be transferred to the Department of Homeland  
141 Security, established pursuant to section 28-2, as amended by this act,  
142 and said department shall constitute a successor department to the  
143 Division of Homeland Security within the Department of Public  
144 Safety, in accordance with the provisions of sections 4-38d and 4-39.

145 Sec. 6. (*Effective from passage*) The joint standing committees of the  
146 General Assembly having cognizance of matters relating to program  
147 review and investigations, government administration and elections,  
148 public safety, judiciary, public health and the Auditor of Public  
149 Accounts shall jointly conduct a study of the operations of the Division

150 of Homeland Security within the Department of Public Safety and  
151 shall report such findings to the General Assembly on or before  
152 November 1, 2004.

This act shall take effect as follows:	
Section 1	<i>from passage</i>
Sec. 2	<i>from passage</i>
Sec. 3	<i>from passage</i>
Sec. 4	<i>from passage</i>
Sec. 5	<i>October 1, 2004</i>
Sec. 6	<i>from passage</i>

**GAE**      *Joint Favorable Subst.*

**PS**        *Joint Favorable*